

## **REMARKS**

### **Status of the Claims.**

Claims 1-4, 6-10, 20-29, 31 and 32 are pending with entry of this amendment, claims 5, 11-19, and 30 having been previously cancelled and claim 32 having been previously added. Claims 1, 6, 7, 9, and 20 are amended herein. These amendments introduce no new matter. Support is replete throughout the specification (*e.g.*, at page 2, lines 26-31, in the claims as originally filed, and the like).

### **35 U.S.C. §112, First Paragraph.**

The rejection of claims 1-4, 6-10, 20-29, and 31 under 35 U.S.C. §112, first paragraph was maintained. However, the Examiner indicated that the Declaration submitted by the Applicants was persuasive and that the specification was enabling for "a method of increasing the efficacy of a gastric H<sup>+</sup>/K<sup>+</sup>-ATPase inhibitor (PPI) in a human in need of a PPI treatment **by injection** of an effective amount of gastrin or gastrin in conjunction with the PPI (*see*, Office Action, paragraph 5 and page 9, second paragraph).

Accordingly to expedite prosecution, claim 1 is amended herein to recite "... **injecting into said human** an effective amount of one or more agents selected from the group consisting of a pentagastrin, or a gastrin . . ." and claim 20 is amended to recite "... a container containing one or more agents selected from the group consisting of a pentagastrin, and a gastrin, wherein the gastrin or pentagastrin is **formulated for administration by injection**".

In view of the Examiner's statement, Applicants believe the amended claims are in condition for allowance.

These amendments are made without prejudice and are not to be construed as abandonment of the previously claimed subject matter or agreement with the Examiner's position. Applicants reserve the right to file subsequent applications claiming the canceled subject matter

Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

**Should the Examiner seek to maintain the rejections, Applicants request a telephone interview with the Examiner and the Examiner's supervisor.**

If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (510) 267-4161.

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Respectfully submitted,  
  
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